

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**KATHRYN TOWNSEND GRIFFIN,
HELEN McDONALD, the
Estate of CHERRIGALE TOWNSEND,**

Plaintiffs,

vs.

CASE NO:

1:17-CV-05221

**EDWARD CHRISTOPHER SHEERAN, p/k/a
ED SHEERAN, SONY/ATV MUSIC PUBLISHING,
LLC, ATLANTIC RECORDING CORPORATION
d/b/a, ATLANTIC RECORDS, WARNER MUSIC
GROUP CORPORATION, d/b/a ASYLUM
RECORDS,**

**Motion to Appear
*Pro Hac Vice***

Defendants.

PURSUANT TO RULE 1.3 of the Local Rules of the United States Courts for the Southern and Eastern Districts of New York, I, Patrick R. Frank, Esq., hereby moves this Court for the entry of an Order for admission to practice *Pro Hac Vice* to appear as counsel(s) for Kathryn Townsend Griffin, Helen McDonald, and the Estate of Cherrigale Townsend in the above-captioned action.

I am in good standing of the bar(s) for the State of Florida (A true copy of the certificate of good standing being appended immediately hereto). There is a pending bar Florida Bar complaint against me. (Please refer to the appended Declaration for supplementary information regarding said proceeding/complaint).

Dated: July 15, 2017

Respectfully Submitted:

FRANK & RICE, P.A.
Attorneys for Plaintiffs

By: 

Patrick R. Frank, Esq.
Florida Bar Number: 0642770
lawatf@aol.com
Keisha D. Rice, Esq.
Katherine L. Viker, Esq.
Frank & Rice, P.A.
325 West Park Avenue
Tallahassee, Florida 32301
Telephone: (850) 629-4168
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Attorney(s) for Plaintiffs

Supreme Court of Florida

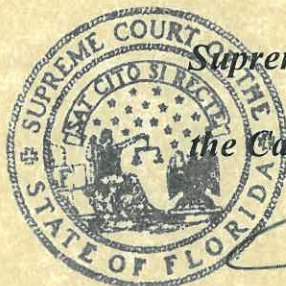
Certificate of Good Standing

I JOHN A. TOMASINO, Clerk of the Supreme Court of the State of Florida, do hereby certify that

PATRICK RYAN FRANK

was admitted as an attorney and counselor entitled to practice law in all the Courts of the State of Florida on May 15, 2003, is presently in good standing, and that the private and professional character of the attorney appear to be good.

WITNESS my hand and the Seal of the



*Supreme Court of Florida at Tallahassee,
the Capital, this June 23, 2017.*

A handwritten signature in dark ink, appearing to read "J. A. Tomasino", is written over a horizontal line.

Clerk of the Supreme Court of Florida.

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**Declaration of Attorney
in Support of
Motion to Appear
*Pro Hac Vice***

**EDWARD CHRISTOPHER SHEERAN, *p/k/a*
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d/b/a, ATLANTIC RECORDS, WARNER MUSIC
GROUP CORPORATION, *d/b/a* ASYLUM
RECORDS,**

Defendants.

**ATTORNEY AFFIDAVIT/DECLARATION IN SUPPORT
OF MOTION TO APPEAR *PRO HAC VICE***

**STATE OF FLORIDA
COUNTY OF LEON**

**PURSUANT TO RULE 1.3 of the Local Rules of the United States Courts for the
Southern and Eastern Districts of New York, I, Patrick R. Frank, Esq., hereby states/
declares/affirms as follows:**

- a.) I, the undersigned counsel(s)/applicant, have never been convicted of a felony;
- b.) I, the undersigned counsel(s)/applicant, have never been censured, suspended, disbarred, or denied admission or readmission by any Court;
- c.) I, the undersigned counsel(s)/applicant, affirm that I currently have a pending complaint before the Florida Bar;

- d.) The bar complaint at issue derives from my firm's previous representation of a client in a pharmaceutical product liability case in the Middle District Court of Florida in 2014. The lawsuit was resolved at mediation and, upon receipt of the settlement proceeds in the case, I prepared a settlement statement which chronicled the withholding of settlement funds pertaining to both a Medicaid lien, as well as monies that were due to the law firm which co-counseled the product liability lawsuit with my firm. Said monies withheld for that law firm were done so in connection with separate legal services previously provided by that law firm to the client with which my law firm had no involvement.¹ The client at issue signed the settlement agreement authorizing the withholding of the monies at issue and payment to Medicaid and the other law firm.

Immediately after receiving the settlement check, and before any payments could be made to Medicaid or the other law firm, the client notified my office of her decision to rescind her permission to distribute the monies to the other law firm and specifically directed my law firm to hold the monies in trust until the client and the other law firm could come to an agreement as to the disposition of the monies in question. The parties were not able to come to an agreement and, sometime thereafter, I was in receipt of a lien notice from the other law firm regarding the monies which exceeded the total monies held in trust. Following the receipt of the lien notice, the client and the other law firm became involved in litigation over the subject monies.

Sometime thereafter, the client filed a bar complaint against me in my individual capacity, claiming that I should have released the monies held in trust directly to her person despite the signed settlement agreement, the lien notice from the other firm, as well as the client's previous directive to hold the monies at issue until the parties resolved the matter. The monies in question remained in trust and were never disturbed until, pursuant to the agreement of all parties involved (including the former client), I deposited all of the disputed monies into the Registry of Court in the Circuit Court where the litigation between the parties is pending.


The bar complaint is set to be adjudicated in December of 2017. To date, I have not been disciplined, nor had any other adverse action taken against my license other than the fact that this matter remains pending. During the process of previously applying for renewal of my certification/license to appear before the Federal Eleventh Circuit Court of Appeals in Atlanta, I disclosed this matter, provided supplementary

¹ The client had, apparently, previously agreed to pay for the unrelated services to the other law firm through any settlement proceeds that were realized *vis a vis* the above-chronicled pharmaceutical product liability lawsuit.

information (akin to the information provided herein), and was renewed thereafter with the understanding that I was required to notify the Court if there were any changes in my status. To date, there have been none.

Under penalty of perjury, the undersigned counsel(s)/applicant/Affiant verifies that all of the information contained herein is true and correct to the best of his information and/or belief.

Dated: July 15, 2017

By: 

Patrick R. Frank, Esq.
Florida Bar Number: 0642770

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**Order on
Motion to Appear
*Pro Hac Vice***

Defendants.

The Motion for Patrick R. Frank, for admission to practice Pro Hac Vice in the above-captioned action is granted.

Applicant has declared that he/she is in good standing of the bar(s) of the State of Florida; and that his contact information is as follows:

Applicant's Name: Patrick Ryan Frank

Firm Name: Frank & Rice, P.A.

Address: 325 West Park Avenue, Tallahassee, Florida 32301

Telephone: (850) 629-4168

Facsimile: (850) 629-4184

E-Mail: lawatf@aol.com

Applicant having requested admission *Pro Hac Vice* to appear for all purposes as

counsel(s) for Kathryn Townsend Griffin, Helen McDonald, and the Estate of Cherrigale Townsend in the above-captioned action,

IT IS HEREBY ORDERED that Applicant is admitted to appear *Pro Hac Vice* in the above-captioned case in the United States District Court of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys.

Dated: July 15, 2017

United States District/Magistrate Judge